

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.42859 of 2008
SAZAD HUSSAIN @ MAHHAMAD SAZAD & ANR
Versus
STATE OF BIHAR

2 23.12.2008 Petitioners are accused in a case under Sections
147/149/148/308/504 of the Indian Penal Code.

From annexure-2 it is clear that on 1.5.2008 one Tabir Hussain son of Md. Hussain lodged First Information Report alleging that one Jabbar Mian was assaulted by some eight persons and he died as a result of a Chhura blow. Subsequently the present First Information Report has been instituted making allegations against petitioner no. 1 who is the son of Jabbar who was killed in the incident and petitioner no. 2 brother of the informant in the murder case.

Learned counsel submits that this case of snatching chain is a counter case to the earlier case and as such these petitioners have deliberately implicated for these minor offences.

Considering the submissions aforesaid, I direct that the petitioners namely Sazad Hussain @ Mahhamad Sazad and Md. Jalil @ Lallan Miyan are directed to be released on anticipatory bail in the event of their arrest or surrender in connection with Mashrak P.S. Case No. 63 of 2008 on furnishing bail bond of rupees ten thousand each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra subject to the conditions laid down under Section 438(2) of the Cr.P.C.

Sanjay

(Sheema Ali Khan, J.)